

## **REMARKS**

The application was filed with claims 1-23. Claims 17-21 were withdrawn from consideration by the Examiner. Claims 1-5, 7-16, 22 and 23 were examined and rejected. Claim 6 was objected to. Claims 1-16, 22 and 23 were not rejected on the basis of prior art.

It is understood that claims 17-21 are withdrawn. However, it is respectfully requested that the Examiner consider including allowable subject matter of claims 17-21 to issue along with the examined claims closely related thereto, and including the species  $n = 2$ .

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 1-5, 7-16, 22 and 23 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The following reasons were given. Applicant's reply follows each reason.

a) Claims 1-5, 7-16, 22 and 23 are vague and indefinite in that it is not known what is meant by the variables  $R_1$  and  $R_2$  in formula (I), which are not defined within the claim.

Amendment has been made herein to further enhance clarity.

b) Claims 1-5, 7-16, 22 and 23 are vague and indefinite in that it is not known what is meant by the definition of  $R_1$  and  $R_2$ . There are no variables  $R_1$  and  $R_2$  in formula (I).

Amendment has been made herein to further enhance clarity.

c) Claims 7-12 are vague and indefinite in that it is not known what is meant by the definition of  $R_1$ , which is "a precursor thereof".

The "precursor" means the protected forms of the reactive functional groups

referred to at page 8, lines 21-22, page 10, line 15 onwards, and also at page 13, lines 7-13.

d) Claims 7-12 are vague and indefinite in that it is not known what is meant by the second occurrence of  $Y_{2p}$ .

Amendment has been made herein to further enhance clarity.

e) Claims 7-12 are vague and indefinite in that it is not known what is meant by the definition of  $R_2$  and  $n$  which is stated as being defined above, which is not so.

Amendment has been made herein to further enhance clarity.

f) Claims 13 and 14 are vague and indefinite in that it is not known what is meant by the definition of  $R_2$  and  $n$  which is stated as being as defined in claim 7, which is not so.

Amendment has been made herein to further enhance clarity.

g) Claim 13 is vague and indefinite in that it is not known what is meant by the definition of  $R'_1$ ,  $R_2$  and  $n$  which is stated as being as defined above, which is not so.

Amendment has been made herein to further enhance clarity.

h) Claim 14 is vague and indefinite in that it is not known what is meant by the definition of  $A$ ,  $R'_1$ ,  $R_2$ ,  $n$  and  $R'_3$  which is stated as being as defined above, which is not so.

Amendment has been made herein to further enhance clarity.

i) Claims 15 and 16 are vague and indefinite in that it is not known what is meant by for use as a medicament on page 12 of the amendment filed November 30, 2005. A statement of intended use is not given material weight. Note In re Tuominen 213 USPQ 89.


Amendment has been made herein to further enhance clarity.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: 14 July 06

By:   
Linda M. Deschere  
Reg. No. 34,811

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

LDES/mm